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OFFICE OF PETITIONS

In re Application of :
Albat et al. :
Application No. 10/662,313 : DECISION ON PETITION
Filed: September 16, 2003 :
Attorney Docket No. 91479MGB :
:

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 13, 2006, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue and publication fees and to submit corrected formal drawings on or before October 27, 2006, as required by the Notice of Allowance and Fee(s) Due and the Notice of Allowability, mailed July 27, 2006. Accordingly, the date of abandonment of this application is October 28, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1,400.00, the publication fee of \$300.00, and corrected formal drawings, (2) the petition fee of \$1,500.00; and (3) a proper statement of unintentional delay.

37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to Christopher Bottorff at (571) 272-6052 or in his absence, the undersigned at (571) 272-7099.

This application is being referred to Publishing Division for processing into a patent.



David Bucca
Petitions Examiner
Office of Petitions